

AMENDED IN SENATE APRIL 11, 2007

SENATE BILL

No. 469

Introduced by Senator Runner

February 21, 2007

An act to amend Section 21061 of the Public Resources Code, relating to the environment.

LEGISLATIVE COUNSEL'S DIGEST

SB 469, as amended, Runner. Environment: ~~California Environmental Quality Act~~. energy.

Existing law creates the State Energy Resources Conservation and Development Commission, in the Resources Agency, imbued with certain powers and duties.

The bill would express the intent of the Legislature to enact legislation to request the commission to identify practices and financial impediments that currently discourage private capital from being invested in privately held self-generation facilities, and the impact on the existing transmission system, the environment, and efforts to reduce greenhouse gases that would be associated with new generation capacity.

~~The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared by contract, and certify the completion of, an environmental impact report on a project, as defined, that may have a significant effect on the environment, or to adopt a negative declaration if it finds that the project will not have that effect.~~

~~This bill would make technical and nonsubstantive changes to the definition of "environmental impact report."~~

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. *It is the intent of the Legislature to enact*
2 *legislation to request the State Energy Resources Conservation*
3 *and Development Commission to identify practices and financial*
4 *impediments that currently discourage private capital from being*
5 *invested in privately held self-generation facilities, and the impact*
6 *on the existing transmission system, the environment, and efforts*
7 *to reduce greenhouse gases that would be associated with new*
8 *generation capacity.*

9 ~~SECTION 1. Section 21061 of the Public Resources Code is~~
10 ~~amended to read:~~

11 ~~21061. (a) "Environmental impact report" means a detailed~~
12 ~~statement setting forth the matters specified in Sections 21100 and~~
13 ~~21100.1. The information or data that is relevant to the statement~~
14 ~~and is a matter of public record, or is generally available to the~~
15 ~~public need not be repeated in its entirety in the statement, but may~~
16 ~~be specifically cited as the source for conclusions stated in the~~
17 ~~statement. The information or data shall be briefly described in~~
18 ~~the statement. The relationship between the information or data to~~
19 ~~the environmental impact report shall be indicated in the statement.~~
20 ~~The source of the information and data shall be reasonably~~
21 ~~available for inspection at a public place or public building. An~~
22 ~~environmental impact report also includes any comments that are~~
23 ~~obtained pursuant to Section 21104 or 21153, or that are required~~
24 ~~to be obtained pursuant to this division.~~

25 ~~(b) An environmental impact report is an informational~~
26 ~~document that, when its preparation is required by this division,~~
27 ~~shall be considered by every public agency prior to its approval~~
28 ~~or disapproval of a project. The purpose of an environmental~~
29 ~~impact report is to provide public agencies and the public in general~~
30 ~~with detailed information about the effect that a proposed project~~
31 ~~is likely to have on the environment; to list ways in which the~~
32 ~~significant effects of the proposed project might be minimized,~~
33 ~~and to indicate alternatives to the proposed project.~~

34 ~~(c) In order to facilitate the use of environmental impact reports,~~
35 ~~public agencies shall require that the reports contain an index or~~

- 1 ~~table of contents, and a summary. Failure to include the index,~~
- 2 ~~table of contents, or summary shall not constitute a cause of action~~
- 3 ~~pursuant to Section 21167.~~

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